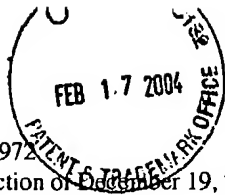


Serial No. 10/009,972  
Reply to Office Action of December 19, 2003



Attorney Docket No. UAB-16102/22

**RESPONSE UNDER 37 CFR 1.116  
EXPEDITED PROCEDURE  
EXAMINING GROUP 1600**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Richard J. Whitley et al.

Serial No.: 10/009,972

Group Art Unit: 1632

Filing Date: February 14, 2002

Examiner: Scott David Priebe

For: HERPES SIMPLEX VIRUS EXPRESSING FOREIGN GENES  
AND METHOD FOR TREATING CANCERS THEREWITH

*Do not  
enter  
SDP  
3/5/04*

**AMENDMENT UNDER RULE 116**

Mail Stop AF  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Responsive to the final Office Action mailed 19 December 2003, entry of the following amendment is requested to place the application in condition for allowance, or at least in better condition for appeal. Please amend the above-identified application as follows:

02/19/2004 SZEWDIE1 00000132 10009972

01 FC:2201

129.00 OP